

# RESPONSE TO OBJECTION TO RELOCATION

King County Family Law Facilitators: Instruction #R-5  
Revised Code of Washington 26.09.430 – 26.09.480  
King County Local Family Law Rules

## STEP 1: DETERMINE THE DEADLINE FOR YOUR RESPONSE

The deadline for your response depends on how you were served with the other parent's documents. The deadline for your response is:

- 20 DAYS, if you were personally served in the State of Washington
- 60 DAYS, if you were personally served outside of the State of Washington

**If you do not respond in a timely manner, the Court may enter an Order of Default against you and the moving party may obtain everything he or she requested in the Petition.**

## STEP 2: TALK TO AN ATTORNEY, IF POSSIBLE

**These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action.** If you cannot afford to hire an attorney to represent you, you may be able to pay a lawyer to give you advice and review your paperwork for a lesser cost. Contact the King County Bar Association Lawyer Referral Line for information about limited services representation. If you cannot afford these costs, there are limited free legal services available to low income people. Contact the Facilitators' Office for a *Legal Resource List* or the King County Bar Association Lawyer Referral Line for information about resources for low income people.

## STEP 3: COMPLETE THE REQUIRED FORMS

**You will need:**

- [Response \(Objection to Relocation/Petition for Modification of Custody Decree/Parenting Plan /Residential Schedule\), \(WPF DRPSCU 07.0730\)](#)
- [Return of Service \(Objection to Relocation/Petition for Modification of Custody Decree/Parenting Plan/Residential Schedule\), \(WPF DRPSCU 07.0760\)](#)
- [Order on Objection to Relocation/Modification of Custody Decree/Parenting Plan/Residential Schedule \(Relocation\), \(WPF DRPSCU 07.0900\)](#)

**If the other parent requested a change in the amount of child support, you will also need:**

- [Child Support Worksheets, WSCSS – Worksheets](#) or WSCSS – [Worksheets](#)

[RDP \(Registered Domestic Partnership\)](#)

- [Financial Declaration, \(WPF DRPSCU 01.1550\)](#)
- [Sealed Financial Source Documents, \(WPF DRPSCU 09.0220\)](#)

Attach copies of the other financial documents required for a change in custody or child support: complete tax returns for the past 3 years with all schedules and W-2s; complete tax return for the year that the prior order of child support was entered; all pay stubs showing income for the past 6 months or since January 1, whichever period is greater; and all statements of financial institutions for accounts listing you as account holder or in which you have an interest. If you have a partnership or corporation, see also King County Local Family Law Rule 10.

#### **STEP 4: MAKE COPIES, FILE WITH CLERK**

**Make 2 copies of your papers** (all forms except the Return of Service). If either party is requesting an Order of Child Support and the children have ever received public assistance, you will need to make 3 copies.

**File the originals of the following forms with the Clerk's Office,**

- Response (Objection to Relocation/Petition for Modification of Custody Decree/Parenting Plan/Residential Schedule)

**and, if applicable:**

- Child Support Worksheets
- Financial Declaration
- Sealed Financial Source Documents, with attachments

You must pay the Clerk a filing fee or file a Motion and Declaration for Waiver of Civil Filing Fees and Surcharges (waives the filing fee).

**You will receive two Case Schedules from the Clerk** when you file. Keep one copy for yourself and have your spouse/partner served with a copy.

#### **STEP 5: SERVE THE OTHER PARTY**

**Serve the other party** with one complete set of copies of all forms, except the Return of Service form. You may serve these papers by delivering or mailing them yourself (provided that no order restrains you from having contact). You must respond to the Petition by the deadlines listed in Step One. *If you are mailing the documents, mail them at least 3 days before the deadline.* If an attorney has appeared on behalf of the other party, deliver or mail to the attorney instead. After you have delivered or mailed your documents, fill out the Declaration of Mailing or Delivery form. Make one copy of this form for your records and file the original with the Clerk's Office. If you have someone other than yourself, who is 18 years of age or older, serve the other party, that person must complete and sign the Return of Service form. After the server has completed the Return of Service, make one copy for yourself and file the original with the Clerk's Office.

**If either party is requesting a change in child support and the children have ever**

received public assistance, you must deliver a set of copies to the Prosecuting Attorney's office, Family Support Section.

#### **STEP 6: ATTEND MANDATORY CLASSES**

**Attend the Family Law Orientation (FLO).** King County Local Rules require you to attend the Family Law Orientation, if you are not represented by an attorney. The orientation provides information on court processes, court rules, and resources that may help you with your case. All unrepresented parties to Family Law actions must attend this orientation within 30 days of filing or receipt of service.

**Attend the *What About the Children Seminar*.** If your case involves minor children, King County Local Rules require each party to attend a parenting seminar within 60 days of service of the Petition and prior to the entry of final order in this legal action.

There is a fee to attend these classes and you must register ahead of time. Registration information is available in the Family Law Facilitator's Office or Family Court Services.

#### **STEP 6: FOLLOW YOUR CASE SCHEDULE AND PREPARE FOR TRIAL**

**Follow your Case Schedule and meet all deadlines.** If you were not served with a copy of your case schedule, you can obtain one from your court file in the Clerk's Office. You will be referred to Family Court Services for mediation of parenting plan issues. If parties reach agreement, agreed final orders may be entered in the Ex Parte Department. If agreement is not reached, proceed to Step 7.

#### **STEP 7: ATTEND PRE-TRIAL CONFERENCE AND DELIVER WORKING PAPERS**

You will receive an Order Setting Pre-Trial Conference from your assigned Judge. This order will specify the date, time and place of the Pre-Trial Conference (approximately 2 months after the Objection to Relocation was filed.) Attendance is mandatory. Your case may be dismissed for failure to appear at this conference. After the Pre-Trial Conference you will be given an Order On Pre-Trial Conference, which will specify when to deliver your Working Papers, and what must be included in your Working Papers. Deliver the Working Papers to the Judge's Mailroom.

#### **Working Papers may include:**

- Objection/Petition (copy)
- Summons (copy)
- Return of Service signed by the Server (copy)
- Order On Objection to Relocation/Modification of Custody Decree/Parenting Plan/Residential Schedule (copy with "Proposed" written on it)
- Parenting Plan or Residential Schedule (Final)(copy with "Proposed" written on it)

And, if applicable:

- Child Support Worksheets (copy),
- Financial Declaration (copy)
- Sealed Financial Source Documents cover sheet and Attachments (copy)
- Order of Child Support (copy with “Proposed” written on it)

**Write the following in the top right hand corner of the first page of the Working Papers:**

WORKING PAPERS

ASSIGNED JUDGE: \_\_\_\_\_

TRIAL DATE: \_\_\_\_\_

Presented by: \_\_\_\_\_

<b>STEP 8: GO TO YOUR TRIAL</b>
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**Bring the following to your trial:**

- Order on Objection to Relocation/Modification of Custody Decree/Parenting Plan/Residential Schedule (completed original)
- Final Parenting Plan or Final Residential Schedule (completed original)

**If a new order of child support is required you will also need:**

- Order of Child Support (completed original)
- Child Support Worksheets (completed original)
- Copies of all the documents relating to your case.

**Present your case.**

**Get copies** of all documents signed by the judge before you leave the courthouse.

**The Facilitators cannot provide you with assistance in trial preparation.** You are strongly advised to talk to an attorney. Limited instructions for complying with the Case Schedule deadlines and preparing for trial are available from the Facilitators.

<p><b>WARNING:</b> These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will <u>not</u> guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. If you need a lawyer call the King County Bar Association Lawyer Referral Line.</p>
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